

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Our File:** 10857.369  
**Applicant:** Carole Beaulieu et al.  
**Serial No.:** 10/728,876  
**Filed:** December 8, 2003  
**Group Art Unit** 1632  
**Confirmation No.:** 1161  
**Examiner:** Irene Marx  
**Title:** GELDANAMYCIN-PRODUCING STRAINS, USES THEREOF  
AND METHODS OF PRODUCING SAME  
**Customer No:** 5545

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DECLARATION UNDER 37 CFR 1.132

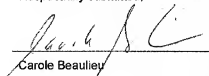
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Dear Sir:

1. I, Carole Beaulieu, residing at 3005 Saint-Rock Sud, Rock Forest, Quebec, Canada, J1N 2T5, am one of the inventors of the above-cited patent application.
2. I confirm that the strain EF-76 was deposited at the American Type Culture Collection (ATCC) at P.O. Box 1549 Manassas, VA 20108 USA, and that this depository affords permanence of the deposit and ready accessibility thereto by the public is a patent is granted.
3. That the strain EF-76 was accorded the specific accession number BAA-668.

4. That the strain will be irrevocably and without restriction or condition released to the public upon the issuance of the patent and that the strain is available to the public since as early as March 2003.
5. That the strain has been deposited under conditions that access to the material is available during the pendency of the patent application and is therefore available to one determined by the Commissioner to be entitled thereto under 37 CFR 1.14 and 35 U.S.C. § 122.
6. That the deposited material will be maintained with all the care necessary to keep it viable and uncontaminated for a period of at least five years after the most recent request for the furnishing of a sample of the deposited microorganism, and in any case, for a period of at least (30) years after the date of deposit for the enforceable life of the patent, whichever period is longer.
7. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the instant patent application or any patent issuing thereon.

Respectfully submitted,

  
Carole Beaulieu

Date: 17 April, 2007